



~~September 19, 2006 CPC~~

~~January 16, 2007 CPC~~

~~February 28, 2007 BS~~

~~May 15, 2007 CPC~~

June 27, 2007 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0335
(AMENDED)

Greenacres Limited Partnership

Matoaca Magisterial District

Spring Run Elementary, Bailey Bridge Middle and Manchester High Schools Attendance Zones
Lying off the southeastern terminus of Buncrana Lane

REQUESTS:

- I. Rezoning from Agricultural (A) to Residential (R-25) of 53.7 acres.
- II. Amendment of Zoning Case 89SN0357 relative to the "East/West Collector Road" and deletion of requirements related to road extensions for Thoreau and Donegal Drives. (Proffered Conditions 1, 3 and 4 of Case 89SN0357)
- III. Waiver to street connectivity requirements to Buncrana Lane, Donegal Drive and Thoreau Drive.

PROPOSED LAND USE:

- Request I. Within the area proposed for R-25 zoning, a residential subdivision having a maximum of twenty-four (24) lots with a minimum lot size of 43,560 square feet is planned (Proffered Conditions 3 and 4). The proffers result in a density of .44 dwelling units per acre.
- Request II. The property encompassed in this portion of the request (Case 89SN0357) was zoned Residential (R-25) in 1990. It is estimated that this zoning would yield approximately 132 dwelling units. Realignment of an east/west road through the property, as shown on the attached map is requested and hence an amendment to the

prior zoning case. In addition, deletion to required road connections is requested.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND DENIAL OF REZONING AND AMENDMENT TO ZONING CASE 89SN0357 (REQUESTS I AND II)

AYES: MESSRS. GECKER, GULLEY AND BASS

NAYS: MESSRS. LITTON AND WILSON.

RECOMMEND APPROVAL OF THE WAIVER TO STREET CONNECTIVITY REQUIREMENTS TO BUNCRANA LANE, DONEGAL DRIVE AND THOREAU DRIVE (REQUEST III).

STAFF RECOMMENDATION

Request I: Recommend approval of the rezoning to R-25 for the following reasons:

- A. While the proposed R-25 zoning does not conform to the Southern and Western Area Plan which suggests the property is appropriate for 1-5 acre lots (suitable to Residential (R-88) zoning), area R-25 properties were zoned prior to adoption of the Plan. Given these past decisions, it would be appropriate to allow development based on similar standards not exceeding the recommended densities of the Plan (0.5 units per acre).
- B. The proffered conditions adequately address the impacts of the proposed R-25 development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, park, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvements Program, and the impact of his development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Request II: Recommend approval of the amendment to Case 89SN0357 subject to addressing the impact on capital facilities. This recommendation is made for the following reasons:

- a. Street connectivity should be addressed through the tentative subdivision process.
- b. The revised alignment of the east/west thoroughfare road addresses area transportation needs.

- c. The application fails to address the impact on capital facilities consistent with the Board of Supervisors' policy. Specifically, the policy suggests that any application should address impacts based upon the criteria in place at the time of submission. Without proffers to address the impact on schools, parks, libraries, fire stations and roads, adequate service levels cannot be maintained thereby adversely impacting the health, safety and welfare of county citizens.

Request III: Recommend denial of the waiver to street connectivity requirements and that Proffered Condition 6 not be accepted. This recommendation is made for the following reason:

The evaluation of the policy criteria for granting relief necessitates design details that can best be performed through the subdivision review process.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

THE FOLLOWING PROFFERS APPLY TO THE 53.7 ACRE PARCEL WITH TAX ID 734-658-8633:

- (STAFF)
1. Cash Proffer. The applicant, subdivider, or assignee(s) (the "Applicant") shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling unit for infrastructure improvements within the service district for the property:
 - a. \$15,600 per dwelling unit if paid prior to July 1, 2006. At the time of payment, the \$15,600 will be allocated pro-rata among the facility costs as follows: \$5,331 for schools, \$602 for parks and recreation, \$348 for library facilities, \$8,915 for roads, and \$404 for fire stations; or
 - b. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit prorated as set forth above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007.

- c. If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant provides road improvements (the “Improvements”), other than the improvements identified in Proffered Condition 5, then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) (“Work”). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.
- d. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)

(STAFF) 2. Timbering. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

(STAFF) 3. Minimum lot size. The minimum lot size shall be 43,560 square feet (1 acre). (P)

(STAFF) 4. Maximum Number of Lots. The total number of lots shall not exceed twenty-four (24). (P)

THE FOLLOWING PROFFERED CONDITIONS APPLY TO CHESTERFIELD COUNTY TAX IDS 736-655-5340, 737-652-3153, 737-652-4169 and 734-658-8633:

(STAFF) 5. East/West Collector

- a. In conjunction with recordation of the initial subdivision plat or within ninety (90) days of a written request by the Transportation Department, whichever occurs first, a seventy (70) foot wide right-of-way through the property for an “East/West Collector” shall be

dedicated, free and unrestricted, to and for the benefit of Chesterfield County. The exact location of this right-of-way shall be approved by the Transportation Department.

- b. Prior to tentative subdivision plan approval, an access plan for the East/West Collector shall be submitted to and approved by the Transportation Department. Vehicular access from the property to the East/West Collector shall conform to the approved access plan.
- c. The developer shall be responsible for: 1) construction of two (2) lanes of the East/West Collector through the property, and 2) construction of right and left turn lanes along the East/West Collector at each approved public road intersection, based on Transportation Department standards. Prior to any construction plan approval, a phasing plan for these improvements shall be submitted to and approved by the Transportation Department. (T)

(NOTE: This Proffered Condition supersedes Proffered Condition 1 in Case No 89SN0357.

- (CPC) 6. There shall be no direct vehicular access to Buncrana Lane, Donegal Drive, or Thoreau Drive. (T)

(NOTE: With the **APPROVAL** of this case, Proffered Conditions 1, 3 and 4 of Case 89SN0357 shall be deleted.)

GENERAL INFORMATION

Location:

Southeastern terminus of Buncrana Lane, southeast of Derryveach Drive and north line of Beach Road. Tax IDs 734-658-8633; 736-655-5340; 737-652-3153 and 4169 (Sheet 24).

Existing Zoning:

A and R-25

Size:

53.7 acres to be rezoned
250.0 acres to be amended

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North, - R-25; Single family residential or vacant
South and West – A Single-family residential or vacant
East - R-25 and A; Single-family residential or vacant

UTILITIES

Public Water System – Property Proposed for R-25 Zoning:

The public water system is not directly available to serve the property proposed for R-25 zoning. There is an existing sixteen (16) inch water line extending along a portion of Spring Run Road that terminates at Hensley Road. Public water service from this sixteen (16) inch line will require an off-site extension of approximately 8,400 feet to serve the request site. The Water/Wastewater Facilities Plan calls for a future water line with a minimum twelve (12) inch diameter to be extended with development from the existing sixteen (16) inch water line in Spring Run Road along a portion of Hensley Road, North Donegal Road, Derryveach Drive, and Donegal Drive to Qualla Road. Installation of a portion of this water line will be required to serve the request site. Future development of parcels west of this site may allow for a waterline extension from the existing sixteen (16) inch line along Brandy Oaks Boulevard, in Brandy Oaks Subdivision. This line is approximately 4,000 feet west of this site. Further evaluation will be required to determine if this is a suitable source. This site is within the area deemed suitable for R-88 zoning of the Southern and Western Area Plan. Use of public water is required.

Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points shall be provided for subdivisions containing more than twenty-five (25) lots.

Public Wastewater System – Property Proposed for R-25 Zoning:

The public wastewater system is not available to serve the property proposed for R-25 zoning. County Code allows use of private septic systems in this area.

Private Septic Systems:

Use of private septic tanks must be approved by the Health Department.

ENVIRONMENTAL

Drainage and Erosion – Property Proposed for R-25 Zoning:

The property which is the subject of the R-25 zoning proposal drains to the rear to a tributary that flows to Swift Creek. There are no known on- or off-site drainage or erosion problems and none are anticipated after development. The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the

Department of Environmental Engineering. This will ensure that adequate erosion measures are in place prior to any land disturbance. (Proffered Condition 2)

Water Quality – Property Proposed for R-25 Zoning:

The off-site tributary to which the property proposed for R-25 zoning drains is a perennial stream and subject to a 100 foot conservation area which extends onto this property. This conservation area has very limited uses.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations. Based on twenty-four (24) dwelling units in that area proposed for R-25 zoning, this request will generate approximately one (1) call for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS for that portion of the property proposed for R-25 zoning. (Proffered Condition 1)

With respect to the property which is the subject of the amendment to Case 89SN0357, approximately five (5) calls per year for fire and emergency medical services are anticipated. The application fails to address the impact of the amendment on fire services consistent with the Board's policy.

The Winterpock Fire Station, Company Number 19, currently provides fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Exceptions to street connectivity requirements to Donegal Glen and Rocky Run Subdivisions have been requested. These connections would benefit not only the proposed development, but also existing area developments in an emergency situation. The Fire Department continues to support street connections between subdivisions so that multiple access points are available to assist in an emergency situation.

Schools:

For that portion of the property proposed to be rezoned to Residential (R-25), approximately thirteen (13) (Elementary: six (6), Middle: three (3), High: four (4)

students will be generated by that development. For that portion of the property encompassed in the 89SN0357 case which is the subject of a zoning amendment, approximately 143 students will be generated.

Currently, this site lies in the Spring Run Elementary School attendance zone: capacity - 943, enrollment – 1,303; Bailey Bridge Middle School zone: capacity - 1,521, enrollment - 1,563; and Manchester High School zone: capacity – 2,107, enrollment – 2,149. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007. This request will have an impact on the elementary level. There are currently eighteen (18) trailers at Spring Run Elementary and five (5) at Manchester High.

The new Winterpock Elementary School is scheduled to open this fall and the new Tomahawk Middle School is scheduled to open in 2008. The new elementary school will provide relief for Spring Run and Grange Hall Elementary and the new middle school will provide relief for schools in this area of the county. This area of the county continues to experience growth and these schools, will provide much needed space

This case, combined with other tentative residential developments and zoning cases in the zones, would continue to push these schools to capacity. This case could necessitate some form of relief in the future. The applicant has addressed the impact of the proposed Residential (R-25) zoning on schools, but has not addressed the impact of the development encompassed in case 89SN0357 which is the subject of a zoning amendment. (Proffered Condition 1)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development of property in this area of the County would most likely affect the existing Clover Hill Library, the existing Central Library or a proposed new facility identified in the Plan in the vicinity of Beach and Winterpock Roads. The applicant has addressed the impact of the proposed R-25 zoning on libraries, but has not addressed the zoning amendment for Case 89SN0357. (Proffered Condition 1)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

While the applicant has offered measures to assist in addressing the impact of the proposed R-25 zoning on these parks and recreational facilities, the impact of the development of the property encompassed in the amendment to Case 89SN0357 has not been addressed. (Proffered Condition 1)

Transportation:

Part of the property (53.7 acres) is currently zoned Agricultural (A), and the applicant is requesting rezoning to Residential (R-25). The remainder of the property (249.9 acres) is zoned R-25. The applicant has proffered a maximum density of twenty-four (24) lots on the property currently zoned Agricultural (Proffered Condition 3). A maximum density was not proffered for the property currently zoned R-25; however, 132 dwelling units are anticipated. Based on single-family trip rates, development of the entire property could generate approximately 1,600 average daily trips. These vehicles will be distributed to Beach Road, which had a 2006 traffic count of 3,176 vehicles per day (VPD) and was functioning at an acceptable level (Level of Service D). Some of this traffic will also travel along Qualla Road, which had a 2006 traffic count of 3,253 VPD and was functioning at an acceptable level (Level of Service C).

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of part of the development (Proffered Condition 1). This proffered condition only applies to the 53.7-acre parcel included in the request. The applicant should address the traffic impact of the request for the remaining 249.9 acres as well. Based on the Board's Policy, without a commitment to mitigate the traffic impact of development of the 249.9 acres, the Transportation Department cannot support this request.

As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No road improvement projects in this part of the county are included in the Six-Year Improvement Program, except for several safety improvement projects to Spring Run Road and one (1) safety improvement project on Qualla Road.

The Thoroughfare Plan identifies an east/west collector through the property with a recommended right of way width of seventy (70) feet. The adopted Plan originally showed this collector aligning with Thoreau Drive (Exhibit A); however, as part of the rezoning of the 249.9 acres, the Board approved an alternative alignment with Case 89SN0357 (Exhibit B). Staff has recommended another alternative to the road network, at the request of the Board of Supervisors, in order to address concerns of citizens in the area (Exhibit C). The Board is scheduled to consider this amendment to the Thoroughfare Plan at their June 27, 2007, meeting. A summary of these alignments and the suggested changes is shown on Exhibit D. The applicant has proffered to dedicate seventy (70) feet of right of way through the property for the east/west collector (Proffered Condition 5.a).

The property has potential access through several stub road rights of way; Buncrana Lane, Thoreau Drive, Donegal Drive, and Long Branch Drive. In order to address citizens' concerns, the applicant has proffered that there will be no direct access from the property to any of these roadways except for Long Branch Drive (Proffered Condition 6). Included in the Subdivision Ordinance is the Planning Commission's Stub Road Policy. The Policy suggests that subdivision streets anticipated to carry 1,500 VPD or more should be designed as "no-lot frontage" collector roads. Traffic generated by this development is anticipated to travel along Long Branch Drive and Crooked Creek Drive in the Crooked Creek subdivision, both of which have lots fronting on them. Traffic generated by this development traveling along those subdivision streets could cause the volumes to exceed the acceptable subdivision street volume as defined by the Stub Road Policy. During tentative subdivision review, a specific recommendation, based on the proposed subdivision layout, will be made with respect to a connection to the Crooked Creek Subdivision. If, based on the tentative subdivision layout, the volume of traffic on the streets within the Crooked Creek subdivision is anticipated to exceed the acceptable subdivision street volume as defined by the Stub Road Policy, staff will recommend against the connection.

Access to collectors should be controlled. The applicant has proffered to submit an access plan, acceptable to the Transportation Department, for the east/west collector (Proffered Condition 5.b). Access from the property to the east/west collector will conform to the approved access plan.

The traffic impact of this development must be addressed. The applicant has proffered customary road improvements, including construction of two (2) lanes of the east/west collector through the property and turn lanes at each intersection (Proffered Condition 5.c). Proffered Condition 2 of Case 89SN0357 requires reconstruction of the intersection of Beach Road and Second Branch Road as well as construction of turn lanes at this intersection.

During tentative subdivision review, specific recommendations will be made regarding the internal street network, stub road rights of ways to adjacent properties and connection to the Crooked Creek subdivision.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	156*	1.00
Population Increase	424.32	2.72
Number of New Students		
Elementary	36.35	0.23
Middle	20.28	0.13
High	26.36	0.17
TOTAL	82.99	0.53
Net Cost for Schools	\$834,288	5,348
Net Cost for Parks	94,224	604
Net Cost for Libraries	54,444	349
Net Cost for Fire Stations	63,180	405
Average Net Cost for Roads	1,394,952	8,942
TOTAL NET COST	\$2,441,088	\$15,648

*Based on a proffered maximum of twenty-four (24) lots on 53.7 acres (Proffered Condition 4) and an average actual yield of .53 dwelling units per acre (132 dwelling units) on 249.9 acres. The actual number of dwelling units and corresponding impact may vary.

The need for schools, parks, libraries, fire stations, and transportation facilities in this area is identified in the County's adopted Public Facilities Plan, Thoroughfare Plan, and Adopted Capital Improvement Program and further detailed by specific departments in the applicable sections of this request analysis.

When this case initially came before the Commission and Board, the application included 53.7 acres of agricultural property to be rezoned to Residential (R-25). Since that time, the applicant has amended the application to include amendment of conditions of Case 89SN0357. Case 89SN0357 (J and Y Company) successfully rezoned 249.9 acres of property zoned Agricultural to Residential (R-25) prior to implementation of the cash proffer program.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. The applicant has been further advised that, per Board policy, a development proposal's fiscal impact on capital facilities shall be established under the Board of Supervisors' cash proffer policy that is in effect at the time the application is submitted.

The applicant has offered \$15,600 per dwelling unit for the 24 dwelling units proffered as part of the original Greenacres Limited Partnership case, but has proffered no measures that address the impact of the 132 dwelling units that could be developed on the property brought into the application from the J and Y Company case (89SN0357). This is equivalent to paying \$2,400 per dwelling unit for each of the 156 dwelling units that could be developed on the property. The proffers, as offered in this case, do not adequately mitigate the development's impact on capital facilities.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case. Staff recommends the applicant address the impact of this development on all categories of capital facilities.

The Planning Commission and Board of Supervisors, through their consideration of this request, may determine that there are unique circumstances relative to this request that may justify acceptance of proffers as offered for this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which suggests the property is appropriate for 1-5 acre lots; suited to Residential (R-88) zoning. While R-88 zoning allows development of one (1) acre lots, such lots are required to utilize both public water and sewer and the one (1) acre is only permitted if provisions are made to provide recorded open space under the Virginia Land Use Assessment Law.

Zoning History:

As previously noted, the approximate 250 acre R-25 zoned tract which is included in this request for the purpose of amending proffers relating to the East/West Collector (see attached map) and road connections to Donegal Glen and Rocky Run Subdivisions was zoned on October 24, 1990 (Case 89SN0357). That zoning did not have conditions limiting the number of lots; therefore, the lot yield would be based upon Ordinance requirements relative to lot size for developments utilizing public water and septic. Based upon typical lot yield for such development in R-25 Districts, it is estimated that approximately 132 lots would result. In addition to conditions addressing the construction of the east/west road, conditions also require approval of the tentative plat by the Planning Commission dedication of an extension of Thoreau Drive into the subject property as a cul-de-sac and dedication of a road extension from Donegal Drive to serve approximately thirty-five (35) acres. The detailed conditions are attached hereto.

Area Development Trends:

Properties within the immediate vicinity of the subject parcel are zoned Residential (R-25) and are developed as the Donegal Glen, Donegal Forest, Rocky Run and Crooked Creek Subdivisions, or are zoned Agricultural (A) and occupied by dwellings on large lots or are currently vacant. These R-25 developments were zoned between 1975 and 1990, prior to the adoption of the Southern and Western Area Plan in 1993.

Given these past actions and the geographic location of the property which is the subject of the rezoning request for R-25 in relationship to these R-25 zoned parcels, it may be appropriate to zone the subject parcel similarly provided the recommended densities of the Plan are not exceeded. As such, the applicant has proffered a maximum of twenty-four (24) lots, yielding a density of .44 dwelling units per acre.

It is anticipated that the subject property will be developed in conjunction with, or as an extension of the R-25 property, which is also included in this request for the purpose of amending conditions relating to an east/west thoroughfare road through that property and street connectivity requirements. As noted earlier, it is anticipated that development of this tract would result in approximately 132 dwelling units. The attached map shows the major road improvements required by the zoning of the property which is subject to the zoning amendment.

Street Connectivity:

An exception to the “Residential Subdivision Connectivity Policy” is requested so as to preclude any road connections to Buncrana Lane, Donegal Drive and Thoreau Drive. The waiver to connectivity to Donegal Drive and Thoreau Drive involves amendment of the 1989 case. In addition to promoting fire and emergency services safety, subdivision road connections provide interconnectivity between residential developments, thereby reducing congestion along collector and arterial roads and providing a convenient and safe access to neighboring properties.

The “Policy” allows the Board, through the Commission’s recommendation, to waive the requirement for streets in new subdivisions to connect to adjacent public streets that are designed as local streets, residential collectors and thoroughfare streets. While staff supports the amendment of the 1989 case to delete the requirement for connectivity from the zoning requirement (Proffered Conditions 3 and 4 of Case 89SN0357), staff does not support the waiver to the connectivity policy for either of these roads, nor Buncrana Lane which stubs to the property which is the subject of the R-25 rezoning request.

Staff must evaluate waivers based upon three (3) criteria: (1) there must be a sufficient number of other stub streets to adequately disperse traffic and not cause a concentrated use of any one (1) stub street; or (2) the connection to a particular stub will cause concentrated traffic at that location; (3) the projected traffic volume on any one (1) local street within an existing subdivision exceeds 1,500 vehicle trips per day.

Without additional design information relative to road layout, staff cannot determine if the criteria for granting the waivers can be met. Therefore, it is recommended that consideration of this waiver be evaluated during the plans review process when more detail is available and that Proffered Condition 6 not be accepted.

Density and Lot Size:

For that portion of the property proposed for R-25 zoning, proffered conditions require a minimum lot size of one (1) acre (Proffered Condition 3). It should be noted this is also an Ordinance requirement for any lots recorded utilizing private septic systems and public water. Proffered conditions also address density limitations (Proffered Condition 4). As noted previously, it may be appropriate to zone the subject property to R-25 similar to surrounding properties' zoning provided density is limited to no more than that recommended by the Plan. For that portion of the property which is the subject of the zoning amendment of a 1989 case, the Ordinance will require a minimum lot size of one (1) acre.

Should the Commission and Board determine not to grant a waiver to the street connectivity requirements at this time, conditions should be offered to preclude any lots developed on the subject property from having sole access through adjacent developments requiring similar lot sizes and densities with development through which the lots should access. This would insure land use compatibility.

CONCLUSIONS

While the proposed R-25 zoning does not conform to the Southern and Western Area Plan which suggests the property is appropriate for 1-5 acre lots (suitable to Residential (R-88) zoning), there is merit to allowing R-25 zoning similar to that which exists on surrounding properties provided that the goal of the Plan to maintain 0.5 dwelling units per acre is achieved. As proffered, the development could occur with a minimum lot size of 43,560 square feet (one acre) with a maximum density .44 units per acre (Proffered Conditions 3 and 4). Land use designations established in the Plan were based upon the anticipated availability of public utilities (in this area, the availability of water) as well as maintaining the integrity of important environmental and visual resources while promoting a range of densities and variety of living environments. As proffered, the proposal assures the 0.5 dwelling unit per acre densities recommended by the Plan are not exceeded. It would appear reasonable in this instance, given past development trends, to forego the goals relating to rural character and compromise by assuring that the recommended densities of the Plan are not exceeded.

With respect to the proposal to amend Case 89SN0357, the application fails to address the impacts on capital facilities, consistent with the Board's policy. The realignment of the east/west thoroughfare road serves the area consistent with that proposed through the original case. However, the impact on capital facilities for that portion of the property currently zoned R-25 has not been addressed thereby adversely impacting the health, safety and welfare of County citizens.

The amendments to Case 89SN0357 relative to street extensions would be appropriate with the understanding that the appropriateness of these connections would best be addressed at the time of tentative subdivision review. Therefore, while staff supports the amendment to Case 89SN0357 relative to street connections, staff does not support the waiver to the “Street Connectivity Policy”.

CASE HISTORY

Planning Commission Meeting (9/19/06):

At the request of the applicant, the Commission deferred this case to their January 16, 2007, meeting. The Commission requested that the area transportation plan be evaluated.

Staff (9/21/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than September 19, 2006, for consideration at the Commission’s January 2007, public hearing. In addition, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission’s public hearing.

Applicant (9/29/06):

The deferral fee was paid.

Area Property owners, Applicant, Staff and Matoaca District Commissioner (11/7/06):

A meeting was held to discuss this case. Concerns were expressed relative to density; lot sizes; street connectivity to Donegal Glen Subdivision; impact on area roads (Qualla Road); and development of the existing R-25 property to the south and its impact upon existing area neighborhoods relative to road connections.

The applicant indicated an intent to limit the number of lots in the project and to further examine precluding road connections to the existing R-25 property to the south.

Staff (12/11/06):

To date, no new information has been submitted.

Applicant (1/8/07):

Additional proffered conditions were submitted.

Planning Commission Meeting (1/16/07):

While the applicant indicated a desire for deferral, the majority of the Commission did not support deferral indicating that numerous persons were present to speak to the case. The applicant accepted staff's recommendation, but did not accept the Commission's recommendation.

There was opposition present. Concerns were expressed relative to impact on infrastructure and the inability of capital facilities to accommodate the development; traffic impacts on Donegal Glen, Donegal Forest and Brandy Oaks Subdivisions as well as area secondary roads; and potential adverse impacts on drainage area, wells and wildlife.

Mr. Litton suggested that alternatives to planned roadway improvements in the area should be explored prior to the Commission acting upon the request. Mr. Wilson indicated that it would be appropriate to defer the case to allow the applicant to continue to attempt to resolve area residents' concerns and to insure that the best possible proposal is presented for the Board's consideration.

Messrs. Gecker and Gulley indicated that the case had been pending for a number of months and he did not feel a deferral would address concerns relative to the adequacy of infrastructure to support the development, especially the road infrastructure. It was further noted that the proposal does not comply with the recommendations of the Plan of R-88 zoning.

Mr. Bass moved to recommend denial and to further advise the Board that if staff's concerns relative to Proffered Condition 6 were addressed, the Commission would still not recommend approval. His motion was seconded by Mr. Gulley.

AYES: Messrs. Gecker, Gulley and Bass.

ABSTENTIONS: Messrs. Litton and Wilson.

Board of Supervisors' Meeting (2/28/07):

On their own motion, the Board remanded this request to the Planning Commission to allow amendment of the case to include additional property and directed that an amendment to the Thoroughfare Road Plan be prepared for consideration in conjunction with the case.

Staff (3/1/07):

The applicant was advised that any significant, new or revised information should be submitted no later than March 12, 2007, for consideration at the Commission's May 15, 2007, public hearing.

Applicant (3/8/07):

The request was amended to include additional property and a waiver to connectivity requirements.

Applicant (4/13/07, 5/1/07 and 5/7/07):

The application was amended. Additional and revised proffered conditions were submitted.

Planning Commission Meeting (5/15/07):

The applicant did not accept the recommendation. There was opposition present expressing concerns relative to road connections; the non compliance with the Southern and Western Area Plan which suggests R-88 zoning; lack of infrastructure to support area growth; area road conditions; emergency medical services response time; sprawl development; lack of open space buffers and smart growth design principals; and the revised alignment of the east/west thoroughfare road as it impacts Brandy Oaks Subdivision and the lack of notice to the Brandy Oaks Subdivision.

There was support present indicating the proposal R-25 zoning is consistent with existing area zoning.

Mr. Bass indicated that the proposed zoning amendment fails to address the impact on capital facilities and that the proposed R-25 zoning is inconsistent with the Plan. He indicated that area roads are inadequate to handle additional traffic.

Mr. Wilson indicated that the Commission should appreciate the benefits of this case as it would enhance the area road network and severe road connections, which could occur under the current zoning. He stated that the proposed R-25 zoning is consistent with existing area zoning.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission recommended denial of the rezoning and amendment to Case 89SN0357 (REQUESTS I and II).

AYES: Messrs. Gecker, Gulley and Bass.

NAYS: Messrs. Litton and Wilson.

On motion of Mr. Bass, seconded by Mr. Wilson, the Commission recommended approval of the waiver to start connectivity requirements to Buncrana Lane, Donegal Drive and Thoreau Drive (REQUEST III).

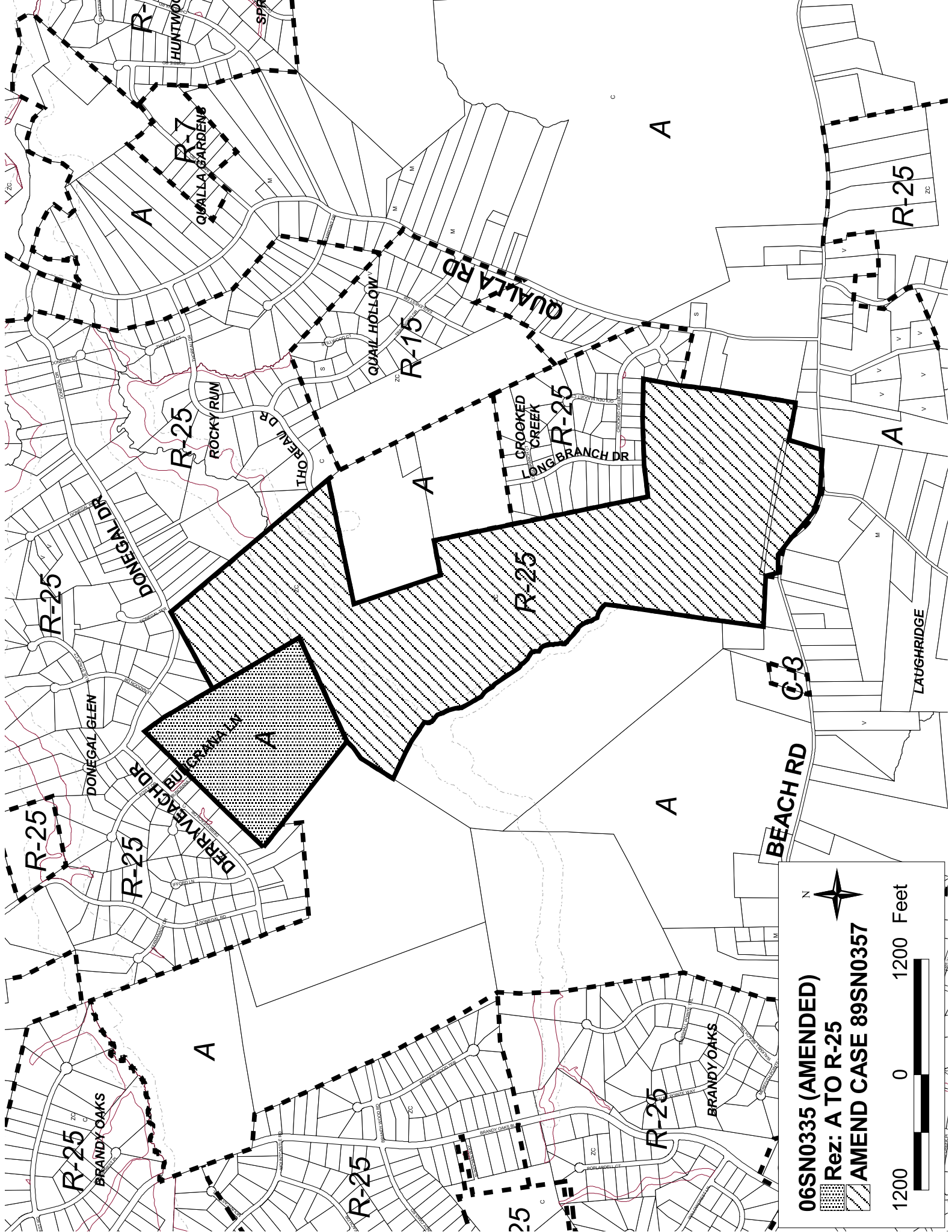
AYES: Messrs. Gecker, Gulley, Bass, Litton and Wilson.

The Board of Supervisors, on Wednesday, June 27, 2007, beginning at 6:30 p.m., will take under consideration this request.

CONDITIONS – CASE 89SN0357

1. In conjunction with recordation for the first section of the subdivision which section must be approved by the Planning Commission through the tentative subdivision process, after notice by the developer in writing to all adjacent property owners in accordance with the notice provisions of the county zoning ordinance for zoning cases. The developer shall dedicate free and unrestricted to and for the benefit of Chesterfield county, a sixty (60 ') foot wide right-of-way for the proposed east west road through the subject property without being required to submit construction plans and/or bond or surety at that time. Said construction plans and bond or surety shall be submitted prior to the recordation of any section of said subdivision adjacent to said road. The location of the east west road shall be approved by the Transportation Department. The developer shall be responsible for constructing a minimum two (2) lane road in the east west right-of-way through subject property. Road construction plans for the east west road shall be submitted to and approved by the Transportation Department.
2. The developer shall dedicate free and unrestricted, to and for the benefit of Chesterfield county, forty-five (45) feet of right-of-way along the north side of Beach Road measured from the centerline of that part of the road immediately adjacent to the subject property, and be responsible for the following road improvements:
 - (a) Preparation of construction plans for the reconstruction of Beach Road to VDOT Urban Minor Arterial Roads Standards as determined by the Transportation Department for the entire frontage of the property. However, this distance may be reduced by the Transportation Department upon the submission and approval of construction plans. The plans shall include, among other things, reconstruction of a two (2) lane road, and left and right turn lanes on Beach Road at the Second Branch Road/site road intersection.
 - (b) Dedication of all right-of-way necessary for the reconstruction of Beach Road as identified in 2 (a) above. Such dedication shall occur in conjunction with the first section of the subdivision which accesses Beach Road.
 - (c) Reconstruction of Beach Road shall be in conformance with the plans approved under 2 (a) above. such construction shall be accomplished in conjunction with access to Beach Road.
3. The developer shall dedicate an extension of Thoreau Drive into the subject property and construct a cul-de-sac at the end of said extension in accordance with a tentative plat to be approved by the Planning Commission at the time of subdivision approval.
4. The developer shall dedicate a road extension off Donegal Drive into the subject property and construct a cul-de-sac at the end of said extension to serve the approximately 35 acres of developer's property off of Donegal Drive. It is understood that if these lots are developed without utilities they would contain a minimum of 40,000 square feet. Said

extension and cul-de-sac shall be in accordance with a tentative plat to be approved by the Planning Commission at the time of subdivision approval.



06SN0335 (AMENDED)

Rez: A TO R-25
AMEND CASE 89SN0357



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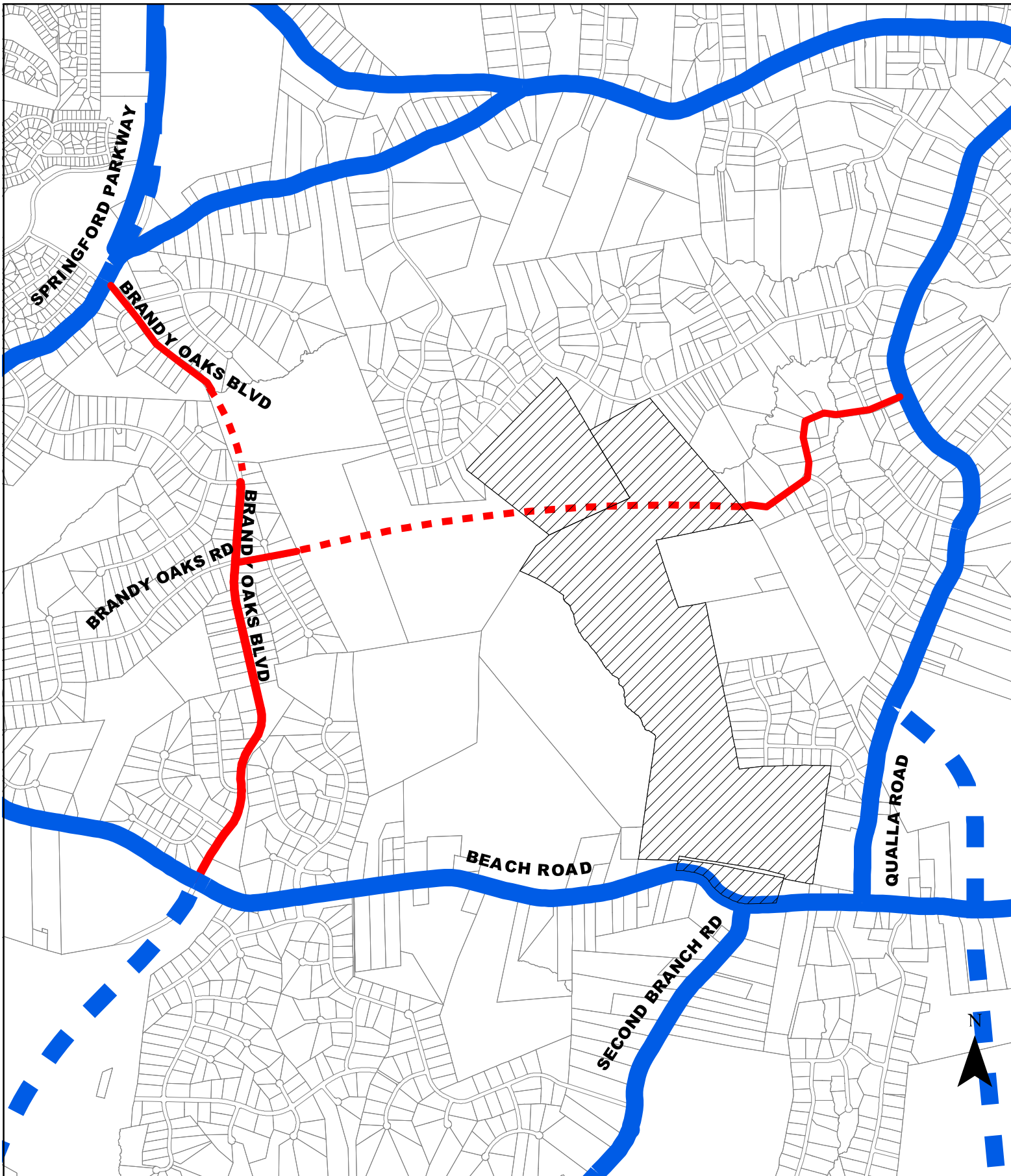


EXHIBIT A - ADOPTED THOROUGHFARE PLAN



MAY 03, 2007

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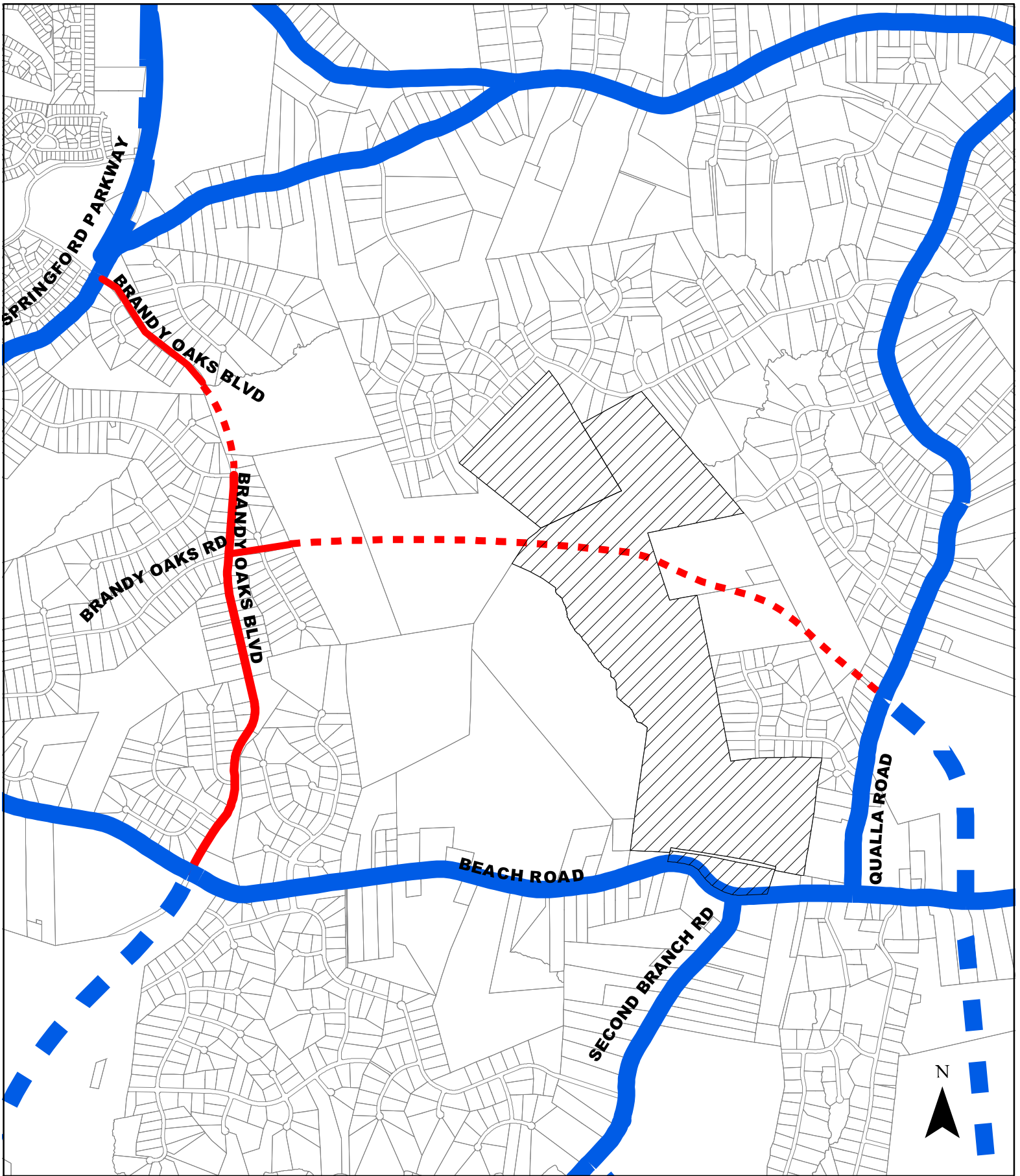


EXHIBIT B - THOROUGHFARE PLAN PER CASE 89SN0357

- | | | | |
|--|---------------------------------|--|--------------------------------------|
|  | COLLECTOR (70') PROPOSED |  | MAJOR ARTERIAL (90') PROPOSED |
|  | COLLECTOR (70') EXISTING |  | MAJOR ARTERIAL (90') EXISTING |

MAY 03, 2007

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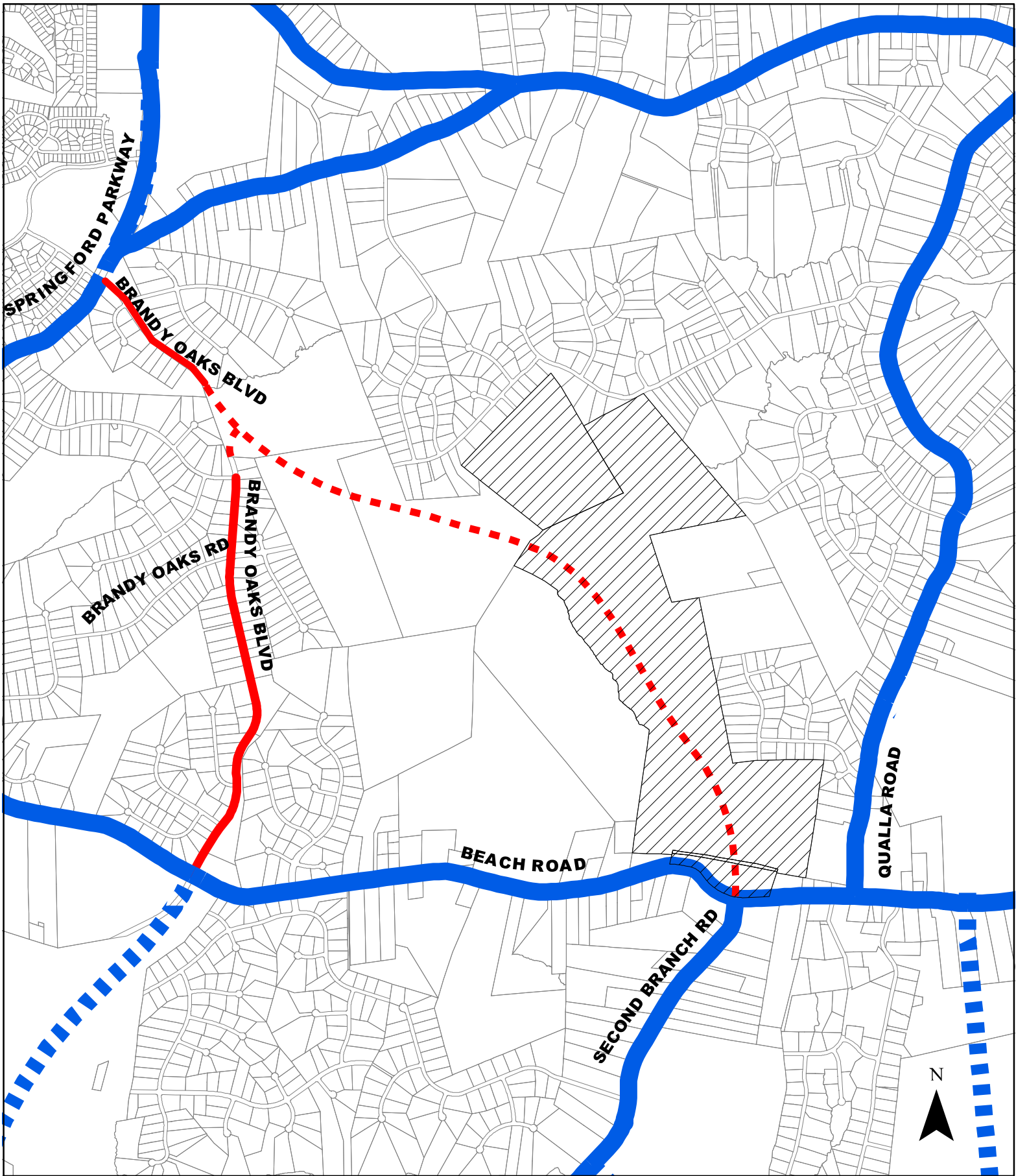


EXHIBIT C - RECOMMENDED PLAN

- | | | | |
|------------|--------------------------|------------|-------------------------------|
| ■■■■■■■■■■ | COLLECTOR (70') PROPOSED | ■■■■ | MAJOR ARTERIAL (90') PROPOSED |
| ■■■■■■■■■■ | COLLECTOR (70') EXISTING | ■■■■■■■■■■ | MAJOR ARTERIAL (90') EXISTING |

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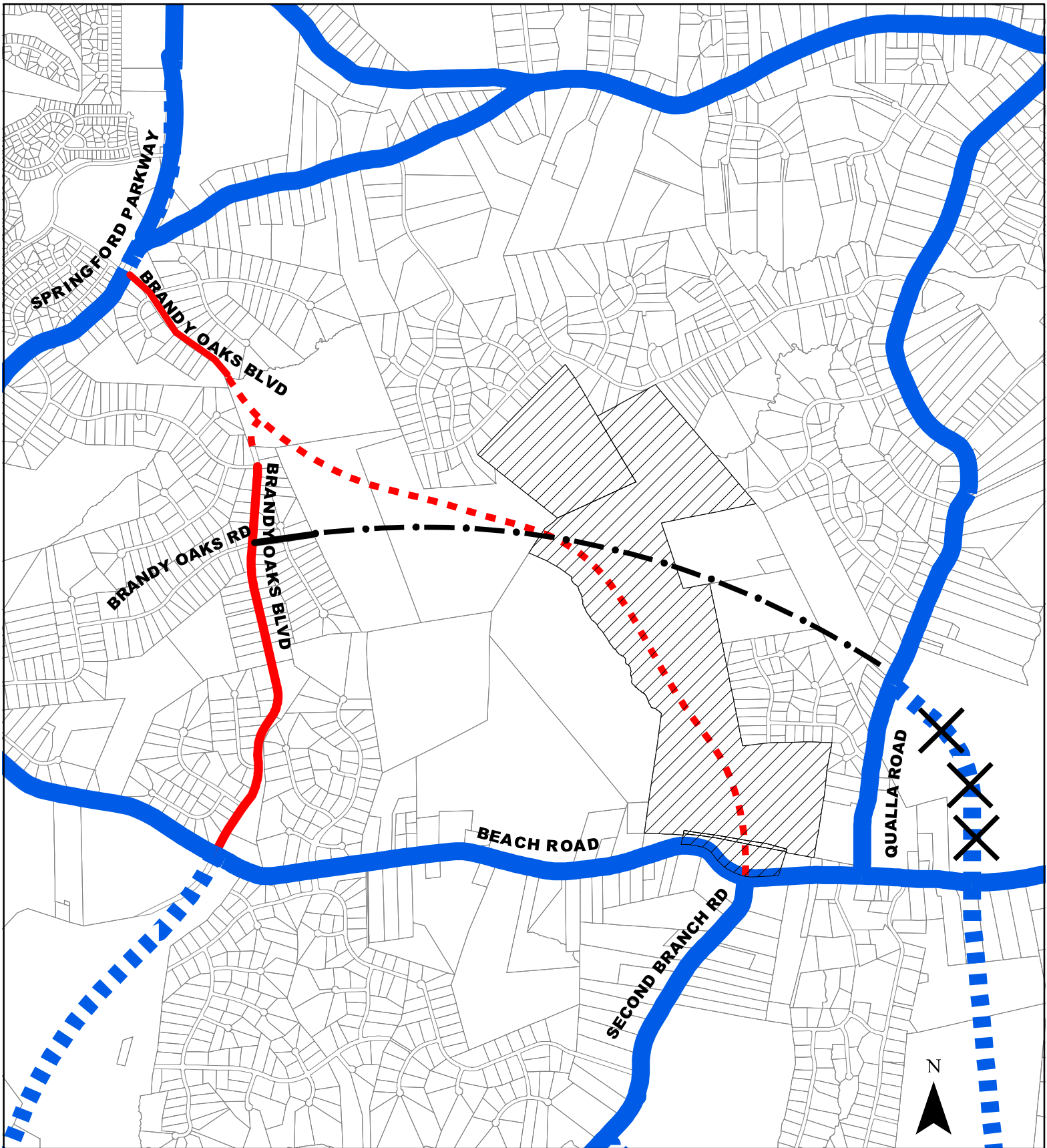


EXHIBIT D - SUMMARY

- COLLECTOR (70') EXISTING
- COLLECTOR (70') PROPOSED - CURRENT ALIGNMENT
- COLLECTOR (70') PROPOSED - SUGGESTED ALIGNMENT
- MAJOR ARTERIAL (90') EXISTING
- MAJOR ARTERIAL (90') PROPOSED
- MAJOR ARTERIAL (90') PROPOSED - SUGGESTED FOR DELETION

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